

Na podlagi tretjega odstavka 63. člena Zakona o zunanjih zadevah (Uradni list RS, št. 1/91-I) izdaja Vlada Republike Slovenije

U R E D B O

O RATIFIKACIJI SPREMEMB CARINSKE KONVENCIJE O MEDNARODNEM PREVOZU BLAGA NA OSNOVI TIR KARNETA (TIR KONVENCIJA)

1. člen

Ratificirajo se 13. sprememba Carinske konvencije o mednarodnem prevozu blaga na osnovi TIR karneta (TIR konvencija), 1975, ki je začela veljati 1. avgusta 1991, 14. sprememba Carinske konvencije o mednarodnem prevozu blaga na osnovi TIR karneta (TIR konvencija), 1975, ki je začela veljati 1. avgusta 1992, 15. sprememba Carinske konvencije o mednarodnem prevozu blaga na osnovi TIR karneta (TIR konvencija), 1975, ki je začela veljati 1. avgusta 1993, 16. sprememba Carinske konvencije o mednarodnem prevozu blaga na osnovi TIR karneta (TIR konvencija), 1975, ki je začela veljati 24. junija 1994, 17. sprememba Carinske konvencije o mednarodnem prevozu blaga na osnovi TIR karneta (TIR konvencija), 1975, ki je začela veljati 1. avgusta 1994, 18. sprememba Carinske konvencije o mednarodnem prevozu blaga na osnovi TIR karneta (TIR konvencija), 1975, ki je začela veljati 1. avgusta 1995, in Sprememba Carinske konvencije o mednarodnem prevozu blaga na osnovi TIR karneta (TIR konvencija), 1975, ki je začela veljati 1. februarja 1999.

2. člen

Besedila sprememb konvencije se v izvirniku v angleškem jeziku in v prevodu v slovenskem jeziku glasijo:

ECONOMIC COMMISSION FOR EUROPE

CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF GOODS UNDER COVER OF TIR CARNETS (TIR CONVENTION)

DONE AT GENEVA ON 14 NOVEMBER 1975

Amendment 13

AMENDMENT TO THE TIR CONVENTION, 1975

ANNEX 6

Annex 6, explanatory note 0.1 (e)

For the existing text substitute:

“The term ‘demountable body’ means a load compartment which has no means of locomotion and which is designed in particular to be transported upon a road vehicle, the chassis of which, together with the underframing of the body is especially adapted for this purpose. It covers also a swap body which is a load compartment designed especially for combined road and rail transport.”

Annex 6, explanatory note 2.2.1 (c)-1, subparagraph (b)

Replace the existing text by the following wording:

“(b) Apertures permitting direct access to the load compartment, must be obstructed

(i) by means of wire gauze or perforated metal screens (maximum dimension of holes 3 mm in both cases) and protected by welded metal lattice-work (maximum dimension of holes: 10 mm); or

(ii) by means of a single perforated metal screen of sufficient strength (maximum dimension of holes: 3 mm; thickness of the screen: at least 1 mm).“

Annex 6, explanatory note 2.2.1 (c)-1, subparagraph (c)

Replace the existing text by the following wording:

“(c) Apertures not permitting direct access to the load compartment (e.g. because of elbow or baffle-plate systems) must be provided with devices referred to in subparagraph (b), in which, however, the dimensions of the holes may be as much as 10 mm (for the wire gauze or metal screen) and 20 mm (for the metal lattice-work).“

ANNEX 2

ANNEX 7

Annex 2, article 3, paragraph 11 (b)

Annex 7, article 4, paragraph 11 (b)

Insert after the existing text, the following wording:

“,... the rings shall be manufactured of metal;“

[Sketch No. 5: Example of a fastening device inserted from the inside of insulated door construction](#)

ECONOMIC COMMISSION FOR EUROPE

**CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF GOODS UNDER
COVER OF TIR CARNETS (TIR CONVENTION)**

DONE AT GENEVA ON 14 NOVEMBER 1975

Amendment 14

DRAFT AMENDMENT TO THE TIR CONVENTION, 1975

ANNEX 2 ANNEX 7

Annex 2, article 3, paragraph 11

Annex 7, part I, article 4, paragraph 11

Replace the existing text by the following wording:

“11. At the openings in the sheet, used for loading and unloading, the two surfaces shall be joined together. The following systems can be used:

(a) The two edges of the sheet shall have an adequate overlap. They shall also be fastened by:

(i) a flap sewn or welded in accordance with paragraphs 3 and 4 of this article;

(ii) rings and eyelets meeting the conditions of paragraph 8 of this article; the rings shall be manufactured of metal; and

(iii) a thong made of appropriate material, in one piece and unstretchable, at least 20 mm wide and 3 mm thick, passing through the rings and holding together the two edges of the sheet and the flap; the thong shall be secured inside the sheet and fitted either with

– and eyelet to take the rope mentioned in paragraph 9 of this article or

– an eyelet which can be attached to a metal ring mentioned in paragraph 6 of this article and be secured by the rope mentioned in paragraph 9 of this article.

A flap shall not be required if a special device, such as a baffle plate, is fitted, which prevents access to the load compartment without leaving obvious traces.

(b) A special locking system holding the edges of the sheets tightly locked when the load compartment is closed and sealed. The system shall be provided with an opening through which a metal ring mentioned in paragraph 6 of this article can pass and be secured by the rope mentioned in paragraph 9 of this article. Such a system is described in sketch No. 8. appended to this annex.

[Sketch No. 8: Sheet locking system at openings for loading and unloading](#)

Description

In this locking system the two edges at the openings in the sheet used for loading and unloading are united by means of an aluminium locking rod. The sheet openings are provided with a hem over its entire length enclosing a rope (see sketch No. 8.1). This makes it impossible to pull the sheet out of the locking rod's profile. The hem shall be on the outside and welded in accordance with annex 2, article 3, paragraph 4 of the Convention. The edges are to be passed into the open profiles on the aluminium locking rod and slid into two parallel longitudinal channels which should be closed at their lower end. When the locking rod is in its upper position the edges of the sheet are united. At the upper end of the opening the locking rod is stopped by a transparent plastic cap fixed by riveting to the sheet (see sketch No. 8.2). The locking rod consists of two sections, joined by a riveted hinge, to allow folding for easy fitting and removal. This hinge must be designed in such a way so as not to allow the removal of the swivel pin once the system is locked (see sketch No. 8.3.). At the lower part of the locking rod is an opening through which the ring passes. The opening is oval and of a size just sufficient to allow the ring to pass through it (see sketch No. 8.4). The TIR fastening rope will be pulled through this ring to secure the locking rod.“

**CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF GOODS UNDER
COVER OF TIR CARNETS (TIR CONVENTION)**

DONE AT GENEVA ON 14 NOVEMBER 1975

Amendment 15

AMENDMENT TO THE TIR CONVENTION, 1975

ANNEX 6

Renumber explanatory notes 2.3.11 (a) to read as follows:

“2.3.11 (a)-1”.

Renumber explanatory note 2.3.11 (c)-1 to read as follows:

“2.3.11 (a)-2”.

Renumber explanatory notes 2.3.11 (c)-2 to read as follows:

“2.3.11 (a)-3”.

ECONOMIC COMMISSION FOR EUROPE

**CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF GOODS UNDER
COVER OF TIR CARNETS (TIR CONVENTION)**

DONE AT GENEVA ON 14 NOVEMBER 1975

Amendment 16

AMENDMENT TO THE TIR CONVENTION, 1975

ARTICLE 16

Article 16

Replace the last sentence of article 16 by the following wording:

“These plates shall be so placed as to be clearly visible. They shall be removable or be fitted or designed in such a way that these plates can be reversed, covered, folded or indicate in any other manner that a TIR transport is not carried out.”

ANNEX 8

Article 6

Replace: "... not less than half..." by the following wording: "... not less than one third...".

ECONOMIC COMMISSION FOR EUROPE

CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF GOODS UNDER COVER OF TIR CARNETS (TIR CONVENTION)

DONE AT GENEVA ON 14 NOVEMBER 1975

Amendment 17

DRAFT AMENDMENTS TO THE TIR CONVENTION, 1975

ANNEX 1

Between the heading "MODEL OF THE TIR CARNET" and paragraph 1 insert the wording:

"VERSION 1".

After paragraph 2 insert the following new paragraph:

"VERSION 2

3. For the transport of tobacco and alcohol for which an increased guarantee may be claimed from the guaranteeing association, in line with Annex 6, Explanatory Note 0.8.3, Customs authorities shall request TIR Carnets to be clearly marked "TOBACCO/ALCOHOL" and "TABAC/ALCOOL" on the cover and on all vouchers. In addition, these Carnets must provide details, at least in English and French, on the categories of tobacco and alcohol guaranteed, on a separate sheet inserted into the Carnet following page 2 of the cover of the Carnet.

[Annex 1](#)

ANNEX 6

Annex 6, Explanatory Note 0.8.3

Add the following wording to the existing text:

"In the case of transport of alcohol and tobacco, details of which are given below, it is recommended that Customs authorities increase the maximum amount which may be claimed from the guaranteeing associations to a sum equal to \$US 200,000:

(1) Undenatured ethyl alcohol of an alcoholic strength by volume of 80% vol or higher (HS code: 22.07.10)

(2) Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% vol; spirits, liqueurs and other spirituous beverages; compound alcoholic preparations of a kind used for the manufacture of beverages (HS code: 22.08)

(3) Cigars, cheroots and cigarillos, containing tobacco (HS code: 24.02.10)

(4) Cigarettes containing tobacco (HS code: 24.02.20)

(5) Smoking tobacco, whether or not containing tobacco substitutes in any proportion (HS code: 24.03.10).“

DRAFT AMENDMENTS TO THE TIR CONVENTION, 1975

ANNEX 2

ANNEX 6

ANNEX 7

Annex 2, Article 3, paragraph 9

Replace the term “paragraph 11 (c)“ by: “paragraph 11 (a) (iii)“.

Annex 6, Explanatory Note 2,3,11 (a)-3

Replace the term “paragraph 11“ by: “paragraph 11 (a)“.

Annex 6, sketch No. 3

Replace the term “paragraph 11 “ by: “paragraph 11 (a)“.

Annex 7, Part I, Article 4, paragraph 9

Replace the term “paragraph 11 (c)“ by: “paragraph 11 (a) (iii)“.

DRAFT AMENDMENT TO THE TIR CONVENTION, 1975

ANNEX 7

Annex 7, Part I, Article 2, new Paragraph 3

Insert the following new paragraph after the existing paragraph 2:

“3. Windows shall be allowed in demountable bodies as defined in Annex 6, Explanatory note 0.1 (e) of the Convention, provided that they are made of materials of sufficient strength and that they cannot be removed and replaced from the outside without leaving obvious traces. Glass may nevertheless be permitted, but if glass other than safety glass is used, the windows shall be fitted with a fixed metal grille which cannot be removed from the outside; the mesh of the grille shall not exceed 10 mm. Windows shall not be allowed in containers as defined in Article 1 (e) of the Convention other than in demountable bodies as defined in Annex 6, Explanatory Note 0.1 (e) of the Convention.“

ECONOMIC COMMISSION FOR EUROPE

**CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF GOODS UNDER
COVER OF TIR CARNETS (TIR CONVENTION)**

DONE AT GENEVA ON 14 NOVEMBER 1975

Amendment 18

AMENDMENT TO THE TIR CONVENTION, 1975

ANNEX 1

Annex 1, paragraph 1

Add the following wording to the existing text:

“...The “Certified Report“ may also appear, on its reverse side, in a language other than French, as may be appropriate.“

AMENDMENT TO THE TIR CONVENTION, 1975

ANNEX 6, EXPLANATORY NOTE 0.8.3

Annex 6, Explanatory Note 0.8.3

Replace the second sentence of the existing text (as amended on 1 October 1994) by the following wording:

“... In the case of transport of alcohol and tobacco, details of which are given below and which exceed the threshold levels provided further below, Customs authorities are recommended to increase the maximum amount which may be claimed from the guaranteeing associations to a sum equal to \$US 200,000:...”

Add at the end of the existing text (as amended on 1 October 1994) the following wording:

“... The maximum amount which may be claimed from guaranteeing associations is recommended to be limited to a sum equal to \$US 50,000, if the following quantities are not exceeded for the above tobacco and alcohol categories:

- (1) 300 litres
- (2) 500 litres
- (3) 40,000 pieces
- (4) 70,000 pieces
- (5) 100 kilogrammes.

The exact quantities (litres, pieces, kilogrammes) of the above categories of tobacco and alcohol must be inscribed into the goods manifest of the TIR Carnet.“

AMENDMENT TO THE TIR CONVENTION, 1975

ANNEX 4

Annex 4

3. Replace the existing "Model Certificate of Approval of a Road Vehicle" by the following:

[Approval certificate](#)

Annex 2

AMENDMENT PROPOSALS TO THE TIR CONVENTION, 1975

adopted by the

Administrative Committee for the TIR Convention, 1975

on 27 June 1997

Article 6, paragraph 1

Modify paragraph 1 as follows:

"1. Each Contracting Party may authorize associations to issue TIR Carnets, either directly or through corresponding associations, and to act as guarantors, as long as the minimum conditions and requirements, as laid down in Annex 9, Part I, are complied with. The authorization shall be revoked if the minimum conditions and requirements contained in Annex 9, Part I are no longer fulfilled."

Article 6, new paragraphs 3 to 5

Add the following new paragraphs:

"3. An association shall issue TIR Carnets only to persons, whose access to the TIR procedure has not been refused by the competent authorities of Contracting Parties in which the person is resident or established.

4. Authorization for access to the TIR procedure shall be granted only to persons who fulfil the minimum conditions and requirements laid down in Annex 9, Part II to this Convention. Without prejudice to article 38, the authorization shall be revoked if the fulfilment of these criteria is no longer ensured.

5. Authorization for access to the TIR procedure shall be granted according to the procedure laid down in Annex 9, Part II to this Convention."

Article 38, paragraph 2

Modify paragraph 2 as follows:

“2. This exclusion shall be notified within one week to the competent authorities of the Contracting Party on whose territory the person concerned is established or resident, to the association(s) in the country or Customs territory where the offence has been committed and to the TIR Executive Board.”

Article 42 bis

Add the following new article:

“The competent authorities, in close cooperation with the associations, shall take all necessary measures to ensure the proper use of TIR Carnets. To this effect they may take appropriate national and international control measures. National control measures taken in this context by the competent authorities shall be communicated immediately to the TIR Executive Board which will examine their conformity with the provisions of the Convention. International control measures shall be adopted by the Administrative Committee.”

New article 58 bis

Add the following new article 58 bis:

“Article 58 bis

Administrative Committee

An Administrative Committee composed of all the Contracting Parties shall be established. Its composition, functions and rules of procedure are set out in Annex 8.”

New article 58 ter

Add the following new article 58 ter:

“Article 58 ter

TIR Executive Board

The Administrative Committee shall establish a TIR Executive Board as a subsidiary body which will, on its behalf, fulfil the tasks entrusted to it by the Convention and by the Committee. Its composition, functions and rules of procedure are set out in Annex 8.”

Article 59

Modify the first sentence of article 59, paragraph 2 as follows:

“2. Any proposed amendment to this Convention shall be considered by the Administrative Committee...”

Article 60

Modify the end of the heading “... 6 and 7” to read as follows: “... 6, 7, 8 and 9”.

Modify the beginning of the article “1. Any proposed amendment to Annexes 1, 2, 3, 4, 5, 6 and 7...” to read as follows: “1. Any proposed amendment to Annexes 1, 2, 3, 4, 5, 6, 7, 8 and 9...”.

Annex 6, explanatory note 0.38.2

To be deleted.

Annex 6, new explanatory note 8.13.1-1

Add a new explanatory note to annex 8, article 13, paragraph 1 to read as follows:

“8.13.1-1 Financial arrangements

Following an initial period of two years, the Contracting Parties to the Convention envisaged the operation of the TIR Executive Board and the TIR secretariat to be financed through the Regular Budget of the United Nations. This does not preclude a prolongation of the initial financing arrangement should financing from the United Nations or alternative sources not be forthcoming.”

Annex 6, new explanatory note 8.13.1-2

Add a second explanatory note to annex 8, article 13, paragraph 1 to read as follows:

“8.13.1-2 Operation of the TIR Executive Board

The work of the members of the TIR Executive Board will be financed by their respective Governments.”

Annex 6, new explanatory note 9.I.1 (a)

Add a new explanatory note to new Annex 9, Part I, paragraph 1 (a) to read as follow:

“9.I.1 (a) Established association

The provisions in annex 9, Part I, paragraph 1 (a) cover organizations involved in the international trade of goods, including chambers of commerce.”

Annex 6, new explanatory note 9.II.3

Add a new explanatory note to new Annex 9, Part II, paragraph 3 to read as follows:

“9.II.3 Authorization committee

It is recommended to establish national authorization committees comprising representatives of the competent authorities, national associations and other organizations concerned.”

Annex 8

Modify the heading of Annex 8 to read as follow:

“COMPOSITION, FUNCTIONS AND RULES OF PROCEDURE OF THE ADMINISTRATIVE COMMITTEE AND THE TIR EXECUTIVE BOARD”

Add a new sub-heading before Annex 8, article 1 to read as follows:

“COMPOSITION, FUNCTIONS AND RULES OF PROCEDURE OF THE ADMINISTRATIVE COMMITTEE”

Annex 8, new article 1 bis

Add the following new article 1 bis:

“Annex 8, article 1 bis

1. The Committee shall consider any proposed amendment to the Convention in accordance with article 59, paragraphs 1 and 2.
2. The Committee shall monitor the application of the Convention and shall examine any measure taken by Contracting Parties, associations and international organizations under the Convention and their conformity therewith.
3. The Committee, through the TIR Executive Board, shall supervise and provide support in the application of the Convention and the national and international levels.”

Add a new sub-heading before annex 8, new article 9 to read as follows:

“COMPOSITION, FUNCTIONS AND RULES OF PROCEDURE OF THE TIR EXECUTIVE BOARD“

Annex 8, new articles 9 to 12

Add the following new articles to annex 8:

“Article 9

1. The TIR Executive Board established by the Administrative Committee in accordance with article 58 ter, shall be composed of nine members, each from different Contracting Parties to the Convention. The TIR Secretary will attend the sessions of the Board.
2. The members of the TIR Executive Board shall be elected by the Administrative Committee by a majority of those present and voting. The term of office of each member of the TIR Executive Board shall be two years. The members of the TIR Executive Board may be re-elected. The Terms of Reference for the TIR Executive Board shall be established by the Administrative Committee.

Article 10

The TIR Executive Board shall:

- (a) supervise the application of the Convention, including the operation of the guarantee system, and fulfil the functions entrusted to it by the Administrative Committee;
- (b) supervise the centralized printing and distribution to the associations of TIR Carnets which may be performed by an agreed international organization as referred to in article 6;
- (c) coordinate and foster the exchange of intelligence and other information among competent authorities of Contracting Parties;
- (d) coordinate and foster the exchange of information between competent authorities of Contracting Parties, associations and international organizations;
- (e) facilitate the settlement of disputes between Contracting Parties, associations, insurance companies and international organizations without prejudice to article 57 on the settlement of disputes;

(f) support the training of personnel of Customs authorities and other interested parties concerned with the TIR procedure;

(g) maintain a central record for the dissemination to Contracting Parties of information to be provided by the international organizations as referred to in article 6, on all rules and procedures prescribed for the issue of TIR Carnets by associations, as far as they relate to the minimum conditions and requirements laid down in annex 9;

(h) monitor the price of TIR Carnets.

Article 11

1. A session of the Board shall be convened by the TIR Secretary at the request of the Administrative Committee or by at least three members of the Board.
2. The Board shall strive to take decisions by consensus. If no consensus can be reached, decisions shall be put to vote and shall be taken by a majority of those present and voting. A quorum of five members is required for the purposes of taking decisions. The TIR Secretary shall have no vote.
3. The Board shall elect a Chairman and shall adopt any additional rules of procedure.
4. The Board shall report on its activities, including the submission of audited accounts, to the Administrative Committee at least once a year or at the request of the Administrative Committee. The Board will be represented in the Administrative Committee by its Chairman.
5. The Board shall consider any information and queries transmitted to it by the Administrative Committee; Contracting Parties, the TIR Secretary, national associations and international organizations referred to in article 6 of the Convention. These international organizations shall have the right to attend the sessions of the TIR Executive Board as observers unless its Chairman decides otherwise. If necessary, any other organization may attend the sessions of the Board as observer at the invitation of the Chairman.

Article 12

The TIR Secretary shall be a member of the secretariat of the United Nations Economic Commission for Europe and shall execute the decisions of the TIR Executive Board within the Terms of Reference of the Board. The TIR Secretary will be assisted by a TIR secretariat, the size of which shall be determined by the Administrative Committee.

Article 13

1. The operation of the TIR Executive Board and the TIR Secretariat shall be financed, until such time as alternative sources of funding are obtained, through a levy on each TIR Carnet distributed by the international organization as referred to in article 6.
2. The amount of the levy and the procedure for its collection shall be determined by the Administrative Committee following consultations with the international organization as referred to in article 6. Any proposed changes to the levy shall be authorized by the Administrative Committee."

Add the following new annex 9 to the Convention:

“Annex 9

ACCESS TO THE TIR PROCEDURE

Part I

AUTHORIZATION FOR ASSOCIATIONS TO ISSUE TIR CARNETS

Minimum conditions and requirements

1. The minimum conditions and requirements to be complied with by associations in order to be authorized by Contracting Parties to issue TIR Carnets and act as guarantor in accordance with article 6 of the Convention are:

(a) Proven existence for at least one year as an established association representing the interests of the transport sector.

(b) Proof of sound financial standing and organizational capabilities enabling it to fulfil its obligations under the Convention.

(c) Proven knowledge of its staff in the proper application of the Convention.

(d) Absence of serious or repeated offences against Customs or tax legislation.

(e) Establishment of a written agreement or any other legal instrument between the association and the competent authorities of the Contracting Party in which it is established. A certified copy of the written agreement or any other legal instrument together, if necessary, with a certified translation into English, French or Russian, shall be deposited with the TIR Executive Board. Any changes to the written agreement or any other legal instrument shall be immediately brought to the attention of the TIR Executive Board.

(f) An undertaking in the written agreement or any other legal instrument under (e), that the association:

(i) shall comply with the obligations laid down in article 8 of the Convention;

(ii) shall accept the maximum sum per TIR Carnet determined by the Contracting Party which may be claimed from the association in accordance with article 8, paragraph 3 of the Convention;

(iii) shall verify continuously and, in particular, before requesting authorization for access of persons to the TIR procedure, the fulfilment of the minimum conditions and requirements by such persons as laid down in Part II of this annex;

(iv) shall provide its guarantee for all liabilities incurred in the country in which it is established in connection with operations under cover of TIR Carnets issued by itself and by foreign associations affiliated to the same international organization as that to which it is itself affiliated;

(v) shall cover its liabilities to the satisfaction of the competent authorities of the Contracting Parties in which it is established with an insurance company, pool of insurers or financial institution. The insurance or financial guarantee contract(s) shall cover the totality of

its liabilities in connection with operations under cover of TIR Carnets issued by itself and by foreign associations affiliated to the same international organization as that to which it is itself affiliated.

The time to give notice for the termination of the insurance or financial guarantee contract(s) shall be not less than the time to give notice for the termination of the written agreement or any other legal instrument under (e). A certified copy of the insurance or financial guarantee contract(s) as well as all subsequent modifications thereto shall be deposited with the TIR Executive Board, including a certified translation, if necessary, into English, French or Russian;

(vi) shall allow the competent authorities to verify all records and accounts kept relating to the administration of the TIR procedure;

(vii) shall accept a procedure for settling efficiently disputes arising from the improper or fraudulent use of TIR Carnets;

(viii) shall agree that any serious or repeated non-compliance with the present minimum conditions and requirements shall lead to the authorization to issue TIR Carnets being revoked;

(ix) shall comply strictly with the decisions of the competent authorities of the Contracting Party in which it is established concerning the exclusion of persons in line with article 38 of the Convention and Part II of this annex;

(x) shall agree to implement faithfully all decisions adopted by the Administrative Committee and the TIR Executive Board in as much as the competent authorities of Contracting Parties in which the association is established have accepted them.

2. Contracting Parties in which the association is established shall revoke the authorization to issue TIR Carnets in case of serious or repeated non-compliance with these minimum conditions and requirements.
3. Authorization of an association under the terms set out above shall be without prejudice to that association's responsibilities and liabilities under the Convention.
4. The minimum conditions and requirements laid down below are without prejudice to additional conditions and requirements Contracting Parties may wish to prescribe.

Part II

AUTHORIZATION FOR NATURAL AND LEGAL PERSONS TO UTILIZE TIR CARNETS

Minimum conditions and requirements

1. The minimum conditions and requirements to be complied with by persons wishing to have access to the TIR procedure are:
 - (a) Proven experience or, at least, capability to engage in regular international transport (holder of a licence for carrying out international transport, etc.).
 - (b) Sound financial standing.
 - (c) Proven knowledge in the application of the TIR Convention.

(d) Absence of serious or repeated offences against Customs or tax legislation.

(e) An undertaking in a written declaration of commitment to the association that the person:

(i) will comply with all Customs formalities required under the Convention at the Customs offices of departure, en route and of destination;

(ii) will pay the sums due, mentioned in article 8, paragraphs 1 and 2 of the Convention, if requested to do so by the competent authorities in line with article 8, paragraph 7 of the Convention;

(iii) will, as far as national legislation permits, allow associations to verify information on the above minimum conditions and requirements.

2. Additional and more restrictive conditions and requirements for access to the TIR procedure may be introduced by the competent authorities of Contracting Parties and by the associations themselves unless the competent authorities decide otherwise.

Procedure

3. Contracting Parties will decide, in line with national legislation, the procedures to be followed for access to the TIR procedure on the basis of the minimum conditions and requirements set forth in paragraphs 1 and 2.

4. The competent authorities shall transmit within one week from the date of authorization or withdrawal of authorization to use TIR Carnets, the particulars of each person to the TIR Executive Board in conformity with the specimen authorization attached (MAF).

5. The association shall transmit annually an updated list as per 31 December of all authorized persons as well as of persons whose authorization has been withdrawn. This list shall be transmitted one week following the 31 December to the competent authorities. The competent authorities shall forward a copy thereof to the TIR Executive Board.

6. The authorization for access to the TIR procedure does not constitute in itself a right to obtain TIR Carnets from the associations.

7. Authorization of a person to utilize TIR Carnets under the minimum conditions and requirements set out above, shall be without prejudice to that person's responsibilities and liabilities under the Convention.

[Model authorization form \(MAF\)](#)

EKONOMSKA KOMISIJA ZA EVROPO

**CARINSKA KONVENCIJA O MEDNARODNEM PREVOZU BLAGA NA OSNOVI TIR
KARNETA (TIR KONVENCIJA)**

SKLENJENA V ŽENEVI 14. NOVEMBRA 1975

13. sprememba

SPREMEMBA KONVENCIJE TIR, 1975

PRILOGA 6

Priloga 6, pojasnilo 0.1 (e)

Obstoječe besedilo se nadomesti z naslednjim:

“Izraz `zamenljivo tovarišče` pomeni tako tovarišče, ki nima lastnih sredstev za premikanje in je zasnovano predvsem za prevažanje na cestnem vozilu, katerega podvozje in podokvir tovarišča sta posebej prilagojena za ta namen. Izraz prav tako pokriva zamenljivo prikolico, ki je tovarišče, ki je posebej zasnovano za sestavljen cestni in železniški prevoz.“

Priloga 6, pojasnilo 2.2.1 (c) - 1, pododstavek (b)

Obstoječe besedilo se nadomesti z naslednjim:

“(b) Odprtine, ki omogočajo neposreden dostop v tovarišče, morajo biti zaprte:

(i) s kovinsko mrežico ali z naluknjanimi kovinskimi ploščami (največja dopustna velikost lukenj v obeh primerih je 3 mm), ki morajo biti zaščitene s privarjeno kovinsko rešetko (največja dopustna velikost odprtinic je 10 mm); ali

(ii) z eno samo dovolj debelo in naluknjano kovinsko ploščico (največja velikost lukenj: 3 mm; debelina ploščice: vsaj 1 mm).“

Priloga 6, pojasnilo 2.2.1 (c) - 1, pododstavek (c)

Obstoječe besedilo se nadomesti z naslednjim:

“(c) Odprtine, ki ne dovoljujejo neposrednega dostopa v tovarišče (npr. pri kolenastih dostopih ali dostopih, kjer so plošče v obliki vodila) morajo biti zavarovane tako, kot je opisano v pododstavku (b), vendar je v tem primeru velikost luknjic lahko največ 10 mm (pri kovinski mrežici ali kovinski plošči) in 20 mm (pri kovinski rešetki).“

PRILOGA 2

PRILOGA 7

Priloga 2, 3. člen, točka (b) enajsti odstavek

Priloga 7, 4. člen, točka (b) enajsti odstavek

Za obstoječe besedilo se vstavi naslednje besedilo:

“... obročki morajo biti izdelani iz kovine;“

[Skica št. 5: Primer potrdila, vstavljenega z notranje strani toplotno osamljenega vratnega krila](#)

**CARINSKA KONVENCIJA O MEDNARODNEM PREVOZU BLAGA NA OSNOVI TIR
KARNETA (TIR KONVENCIJA)**

SKLENJENA V ŽENEVI 14. NOVEMBRA 1975

14. sprememba

SPREMEMBA KONVENCIJE TIR, 1975

PRILOGA 2

PRILOGA 7

Priloga 2, 3. člen, enajsti odstavek

Priloga 7, 1. del, 4. člen, enajsti odstavek

Obstoječe besedilo se nadomesti z naslednjim:

“11. Ob odprtinah v ponjavi, ki rabijo za nakladanje in razkladanje, se morata oba robova stikati. V ta namen je mogoče uporabiti naslednje načine:

(a) Oba robova ponjave se morata zadovoljivo prekrivati. Poleg tega bosta pritrjena:

(i) s prešitim ali privarjenim zavihkom v skladu z določbama tretjega in četrtega odstavka tega člena;

(ii) s kovinskimi obročki ali očesci, ki so v skladu z zahtevami osmega odstavka tega člena; obročki bodo izdelani iz kovine; in

(iii) z jermenom, ki je iz enega kosa in izdelan iz ustrezne snovi, je neraztegljiv in vsaj 20 mm širok in 3 mm debel, pri čemer je ta jermen voden skozi obroče in drži skupaj oba robova ponjave in zavihke: jermen je pritrjen znotraj ponjave in opremljen bodisi

– z očescem, skozi katerega poteka žična vrv ali vrv, omenjena v devetem odstavku tega člena; ali

– z očescem, ki ga je mogoče pritrditi na kovinski obroček, ki je omenjen v šestem odstavku tega člena in zavarovati z vrvjo, omenjeno v devetem odstavku tega člena.

Zavihek ni potreben, če je nameščena posebna naprava, na primer plošča v obliki vodila, ki preprečuje dostop do tovarišča brez vidnih sledi.

(b) Posebni zasunski mehanizem, ki drži robove ponjave tesno skupaj, ko je tovarišče zaprto in carinsko označeno. Ta mehanizem mora imeti odprtino, skozi katero lahko teče kovinski obroč, omenjen v šestem odstavku tega člena, in ki ga je možno zavarovati z vrvjo, omenjeno v devetem odstavku tega člena. Takšen mehanizem je opisan na skici št. 8, ki je priložena tej prilogi.

[Skica št. 8: Zasunski sistem za pritrditev ponjave ob odprtinah za nakladanje in razkladanje](#)

Opis

Ta zasunski mehanizem združuje oba robova ob odprtinah v ponjavi za nakladanje in razkladanje s pomočjo zasuna v obliki palice iz aluminija. Ob odprtinah teče po celi dolžini roba šiv, v katerem je vrv (glej skico št. 8.1). Zato ponjavo ni mogoče potegniti iz prereza zasunske palice. Šiv mora biti na zunanji strani in varjen skladno z določbami četrtega odstavka 3. člena Priloge 2. h konvenciji. Robovi morajo iti v odprte profile zasunske palice iz aluminija in zdrsniti v dva vzporedna vzdolžna kanala, ki morata biti na njunem spodnjem koncu zaprta. Kadar je zasunska palica v zgornjem položaju so robovi ponjave združeni. Na gornjem koncu odprtine zasunske palice ustavi prozorna plastična kapica, ki je s kovico pritrjena na ponjavo (glej skico št. 8.2). Zasunska palica sestoji iz dveh delov, spojenih z zakovičenim tečajem, da jo je mogoče zložiti za lažjo namestitvev in snemanje. Ta tečaj mora biti izdelan tako, da ne omogoča odstranitve tečajnega sornika, ko je mehanizem v zaprtem položaju (glej skico št. 8.3). Na spodnjem koncu zasunske palice je odprtina, skozi katero sega obroček. Odprtina je ovalne oblike in komaj dovolj velika, da skozi jo sega kovinski obroček (glej skico št. 8.4). Pritrdilna vrv TIR se potegne skozi ta obroček, da se zavaruje zasunska palica.“

EKONOMSKA KOMISIJA ZA EVROPO

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15. sprememba

SPREMEMBA KONVENCIJE TIR, 1975

PRILOGA 6

Pojasnilo 2.3.11 (a) se preštevilči tako, da se bo popravek glasil:

“2.3.11 (a)-1“.

Pojasnilo 2.3.11 (c) - 1 se preštevilči tako, da se bo popravek glasil:

“2.3.11. (a)-2“.

Pojasnilo 2.3.11 (c) - 2 se preštevilči tako, da se bo popravek glasil:

“2.3.II (a)-3“.

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16. sprememba

SPREMEMBA KONVENCIJE TIR, 1975

16. ČLEN

16. člen

Zadnji stavek 16. člena se nadomesti z naslednjim besedilom:

“Te tablice bodo nameščene tako, da bodo jasno vidne. Nameščene ali izdelane morajo biti tako, da se jih da odstraniti oziroma obrniti, prekriti, zložiti ali kako drugače označiti, kadar se prevoz ne izvaja po postopku TIR.“

PRILOGA 8

6. člen

Zamenja se: “... ne manj kot polovica...” z naslednjim besedilom: “... ne manj kot ena tretjina“.

EKONOMSKA KOMISIJA ZA EVROPO

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17. sprememba

SPREMEMBA KONVENCIJE TIR, 1975

PRILOGA 1

Med naslov “VZOREC ZVEZKA TIR“ in prvi odstavek se vstavi naslednje besedilo:

“1. RAZLIČICA“.

Za drugi odstavek se vstavi naslednji odstavek:

“2. RAZLIČICA

3. Za prevoz tobaka in alkohola, za katerega se lahko od garantnega združenja v skladu s pojasnilom 0.8.3 Priloge 6 zahteva povečana jamstva, bodo carinski organi zahtevali, da bodo zvezki TIR jasno označeni z oznakami “TOBAK/ALKOHOL“ in “TOBAK/ALKOHOL“ na ovitku in na vseh listih. Poleg tega morajo ti zvezki vsebovati podatke, vsaj v angleščini in francoščini, o kategorijah tobaka in alkohola, za katerega je jamstvo izdano, in sicer na posebnem listu, ki je vstavljen v zvezek TIR za drugo stran ovitka zvezka.

PRILOGA 6

Priloga 6, pojasnilo 0.8.3

Obstoječemu besedilu se doda naslednje:

“V primeru prevoza alkohola in tobaka, ki sta natančneje opisana v nadaljevanju, je priporočeno, naj bi carinski organi povečali najvišji znesek, ki ga je moč zahtevati od garantnega združenja, na znesek, ki je enak USD 200.000:

(1) Nedenaturirani etilni alkohol, katerega jakost je enaka 80% vol ali več (koda HS: 22.07.10).

(2) Nedenaturirani etilni alkohol, katerega volumska jakost je manj kot 80% vol; žganje, likerji in druge žgane pijače; sestavljeni alkoholni izdelki, ki se uporabljajo za proizvodnjo pijač (koda HS: 22.08).

(3) Cigare, manilske cigare in cigarilosi, ki vsebujejo tobak (koda HS: 24.02.10).

(4) Cigarete, ki vsebujejo tobak (koda HS: 24.02.20).

(5) Tobak za kajenje, bodisi da vsebuje kakršenkoli delež tobačnih nadomestkov ali ne (koda HS: 24.03.10).

SPREMEMBE KONVENCIJE TIR, 1975

PRILOGA 2

PRILOGA 6

PRILOGA 7

Priloga 2, 3. člen, deveti odstavek

Nadomesti se izraz “točka (c) enajsti odstavek “ z “ točka (iii) pododstavek (a) enajsti odstavek“.

Priloga 6, pojasnilo 2.3.11 (a) - 3

Nodomesti se izraz “enajsti odstavek “ z: “ pododstavek (a) enajsti odstavek “.

Priloga 6, skica št. 3

Nadomesti se izraz “enajsti odstavek “ z: “pododstavek (a) enajsti odstavek “.

Priloga 7, I. del, 4. člen, deveti odstavek

Nadomesti se izraz “točka (c) enajsti odstavek “ z: “ točka (iii) pododstavek (a) (iii) odstavek“.

SPREMEMBA KONVENCIJE TIR, 1975

PRILOGA 7

Priloga 7, I.del, 2. člen, nov tretji odstavek

Vstavi se naslednji odstavek za obstoječi drugi odstavek:

“3. Okna so dovoljena v primeru zamenljivih tovarišč, kot so ta opredeljena v Prilogi 6, pojasnilu 0.1 (e) konvencije, vendar pod pogojem, da so iz dovolj trpežne snovi in da se jih ne da odstraniti ter ponovno namestiti z zunanje strani brez vidnih sledov. Steklo je sicer dovoljeno, toda če se uporabi steklo, ki ni varnostno steklo, mora biti na oknu v tem primeru nepremična kovinska mreža, ki se z zunanje strani ne da odstraniti; velikost oken v mreži ne sme presegati 10 mm. Okna niso dovoljena v zabojnikih, kot so ti opredeljeni odstavku (e) 1. člena konvencije, razen v primeru zamenljivih tovarišč, kot so ta opredeljena v Prilogi 6, pojasnilu 0.1 (e) konvencije.

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18. sprememba

SPREMEMBA KONVENCIJE TIR, 1975

PRILOGA 1

Priloga 1, prvi odstavek

Obstoječemu besedilu se doda naslednji stavek:

“...`Ugotovitveni zapisnik` se lahko nahaja na hrbtni strani, in sicer v jeziku, ki ni francoski, kot ustreza.“

SPREMEMBA KONVENCIJE TIR, 1975

PRILOGA 6, POJASNILO 0.8.3

Priloga 6, pojasnilo 0.8.3

Drugi stavek obstoječega besedila se nadomesti (kot je bilo to dopolnjeno 1. oktobra 1994) z naslednjim besedilom:

“... v primeru prevozov alkohola in tobaka, ki sta natančneje opisana v nadaljevanju in katerih količine presegajo prag, ki je prav tako določen v nadaljevanju, se carinskim organom priporoči, naj povišajo največji znesek, ki se lahko zahteva od garantnih združenj, na znesek, ki je enak USD 200.000:...”

Na koncu obstoječega besedila (kot je bilo dopolnjeno 1. oktobra 1994) se doda naslednje besedilo:

“... največji znesek, ki se ga lahko zahteva od garantnih združenj, naj bi bil po priporočilih omejen na znesek, ki je enak USD 50.000, v kolikor niso presežene naslednje količine posameznih vrst tobačnih in alkoholnih izdelkov:

- 1) 300 litrov
- 2) 500 litrov
- 3) 40.000 kosov
- 4) 70.000 kosov
- 5) 100 kilogramov.

Natančne količine (litri, kosi, kilogrami) zgoraj omenjenih vrst tobačnih in alkoholnih izdelkov morajo biti vpisane v najavi blaga v zvezku TIR.“

SPREMEMBA KONVENCIJE TIR, 1975

PRILOGA 4

Priloga 4

Obstoječi “vzorec potrdila o odobritvi cestnega vozila“ se nadomesti z naslednjim:

[Potrdilo o ustreznosti cestnega vozila za prevoz blaga pod carinskimi oznakami](#)

PRILOGA 2

SPREMEMBA KONVENCIJE TIR, 1975

sprejeta s strani

Upravnega odbora TIR Konvencije 1975

z dne 27. junija 1975

6. člen, prvi odstavek

Prvi odstavek se spremeni, kot sledi:

“1. Dokler so izpolnjeni najosnovnejši pogoji in zahteve iz I. dela Priloge 9, lahko vsaka pogodbenica neposredno ali prek ustreznih združenj pooblasti združenja, da izdajajo zvezke TIR in nastopajo kot poroki. Omenjeno pooblastilo se prekliče, če niso več izpolnjeni minimalni pogoji in zahteve iz I. dela Priloge 9.“

6. člen, novi tretji do peti odstavek

Doda se nov tretji do peti odstavek:

“3. Združenje bo izdalo zvezke TIR le osebam, katerim pristojni organi pogodbenic, v katerih ima oseba stalno bivališče ali kjer je oseba ustanovljena, niso prepovedali dostopa do postopka TIR.

4. Dovoljenje za dostop do postopka TIR se izda le tistim osebam, ki izpolnjujejo minimalne pogoje in zahteve, določene v II. delu Priloge 9 te konvencije. Ne glede na določbe 38. člena se omenjeno dovoljenje odvzame, v kolikor ta merila niso več izpolnjena.

5. Dovoljenje za dostop do postopka TIR se izda na način, določen v II. delu Priloge 9 te konvencije.“

38. člen, drugi odstavek

Drugi odstavek se spremeni tako, da se glasi:

“2. To izključitev je treba v roku enega tedna sporočiti pristojnim organom pogodbenice, na ozemlju katere je ta oseba ustanovljena ali ima stalno prebivališče, združenju (jem) v državi ali carinskem območju, v katerem je bilo storjeno protipravno dejanje, in izvršnemu odboru TIR.“

42. bis člen

Doda se naslednji novi člen:

“Pristojni organi v tesnem sodelovanju z združenji uvedejo vse potrebne ukrepe, s katerimi zagotovijo pravilno uporabo zvezkov TIR. V ta namen lahko izvajajo ustrezne nacionalne ali mednarodne nadzorne ukrepe. O nacionalnih nadzornih ukrepih, ki jih v zvezi s tem izvedejo pristojni organi v neki državi, je treba takoj obvestiti izvršni odbor TIR, ki bo ugotovil, če so skladni z določbami konvencije. Mednarodne nadzorne ukrepe sprejme upravni odbor.“

Novi 58. bis člen

Doda se naslednji novi člen 58. bis člen:

“58. bis člen

Upravni odbor

Ustanovi se upravni odbor, ki jo sestavljajo vse pogodbenice. Njena sestava, delovanje in poslovnik, so določeni v Prilogi 8.“

Novi 58. ter člen

Doda se naslednji novi 58. ter člen:

“58. ter člen

Izvršni odbor TIR

Upravni odbor bo ustanovil izvršni odbor TIR kot pomožno telo, ki bo v njenem imenu izvajalo naloge, ki jih določa konvencija ali določi upravni odbor. Njegova sestava, delovanje in poslovnik so določeni v Prilogi 8.“

59. člen

Spremeni se 1. stavek drugega odstavka 59. člena kot sledi:

“2. Upravni odbor prouči vsako predlagano spremembo k tej konvenciji...”

60. člen

Konec naslova “... 6. in 7.” se spremeni tako, da se glasi:

“... 6., 7., 8. in 9.”.

Spremeni se začetek člena “1. Vse predlagane spremembe Prilog 1., 2., 3., 4., 5., 6.
in 7...”

tako, da se glasi: “1. Vse predlagane spremembe Prilog 1., 2., 3., 4., 5., 6., 7., 8. in
9...”

Priloga 6, pojasnilo 0.38.2

Se briše.

Priloga 6, novo pojasnilo 8.13.1-1

Doda se novo pojasnilo k prvemu odstavku 13. člena Priloge 8, tako da se glasi:

“8.13.1-1 Finančni dogovori

Pogodbenice konvencije predvidevajo, da se bo po dvoletnem uvodnem obdobju financiranje poslovanja izvršnega odbora TIR in tajništva TIR financiralo preko rednega proračuna Združenih narodov. To ne pomeni, da začetnega finančnega dogovora ne bi bilo mogoče podaljšati, v kolikor ne bi prišlo do financiranja s strani Združenih narodov ali iz drugih virov.”

Priloga 6, novo pojasnilo 8.13.1-2

Doda se drugo pojasnilo k prvemu odstavku 13. člena Priloge 8, tako da se glasi:

“8.13.1-2 Delovanje izvršnega odbora TIR

Delo članov izvršnega odbora TIR bodo financirale njihove vlade.”

Priloga 6, novo pojasnilo 9. I.1 (a)

Doda se novo pojasnilo k točki (a) prvega odstavka I. dela Priloge 9, tako da se
glasi:

“9.I.1 (a) Ustanovitev združenj

Določbe točke (a) prvega odstavka I. dela Priloge 9 opredeljujejo organizacije, ki sodelujejo v mednarodni trgovini z blagom, vključno gospodarske zbornice.”

Priloga 6, novo pojasnilo 9.II.3

Doda se novo pojasnilo k tretjemu odstavku II. dela Priloge 9 tako, da se glasi:

“9.II.3 Odbor za izdajo dovoljenj

Priporočeno je ustanoviti nacionalne odbore za izdajo dovoljenj, ki jih sestavljajo predstavniki pristojnih organov, nacionalnih združenj in drugih zadevnih organizacij.“

Priloga 8

Naslov Priloge 8 se spremeni tako, da se glasi:

“SESTAVA, DELOVANJE IN POSLOVNIK UPRAVNEGA ODBORA IN IZVRŠNEGA ODBORA TIR“

Pred 1. člen Priloge 8 se doda nov podnaslov, tako da se glasi:

“SESTAVA, DELOVANJE IN POSLOVNIK UPRAVNEGA ODBORA“

Priloga 8, novi 1. bis člen

Doda se naslednji novi 1. bis člen:

“Priloga 8, 1. bis člen

1. Odbor bo proučil vse predlagane spremembe konvencije skladno z določbami prvega in drugega odstavka 59. člena.
2. Odbor bo spremljal izvajanje konvencije in bo proučil vse ukrepe, ki jih pogodbenice, združenja in mednarodne organizacije izvajajo na podlagi te Konvencije, in skladnost teh ukrepov z določbami Konvencije.
3. Odbor bo prek izvršnega odbora TIR nadzoroval in podpiral izvajanje konvencije na nacionalni in mednarodni ravni.“

Pred 9. člen Priloga 8 se doda podnaslov, ki se glasi:

“SESTAVA, DELOVANJE IN POSLOVNIK IZVRŠNEGA ODBORA TIR“

Priloga 8, novi člani 9 do 13

Doda se naslednja nove člene v Prilogi 8:

“9. člen

1. Izvršni odbor TIR, ki ga ustanovi upravni odbor skladno z določbami 58. ter člena, se sestoji iz 9 članov, vsak iz druge pogodbenice konvencije. Tajnik TIR se udeležuje sestankov izvršnega odbora.
2. Člane izvršnega odbora TIR voli upravni odbor z večino glasov prisotnih članov. Mandat vsakega člana izvršnega odbora TIR traja 2 leti. Člani izvršnega odbora TIR so lahko ponovno izvoljeni. Naloge izvršnega odbora TIR določi upravni odbor.

10. člen

Izvršni odbor TIR:

(a) nadzoruje izvajanje konvencije, vključno z delovanjem sistema garancij, in izvaja naloge, ki mu jih zaupa upravni odbor;

(b) nadzoruje centralizirano tiskanje in distribucijo zvezkov TIR združenjem, kar lahko na podlagi dogovora izvaja mednarodna organizacija, kot je določeno v 6. členu;

(c) usklajuje in spodbuja izmenjavo obveščevalnih podatkov in drugih obvestil med pristojnimi organi pogodbenic;

(d) usklajuje in spodbuja izmenjavo obvestil med pristojnimi organi pogodbenic, združenji in mednarodnimi organizacijami;

(e) pomaga pri poravnavi sporov med pogodbenicami, združenji, zavarovalnicami in mednarodnimi organizacijami, ne glede na določbe 57. člena glede razreševanja sporov;

(f) podpira usposabljanje carinskih organov in drugih zainteresiranih strani, ki se tičejo postopka TIR;

(g) vodi centralni nadzor nad obvestili, ki se pošiljajo pogodbenicam za obveščanje mednarodnih organizacij, kot je to določeno v 6. členu, in sicer v zvezi s pravili in postopki, ki veljajo za izdajo zvezkov TIR pri združenjih, in sicer v kolikor zadevajo minimalne pogoje in zahteve, določene v Prilogi 9;

(h) spremljajo ceno zvezkov TIR.

11. člen

1. Sestanek odbora skliče tajnik TIR na zahtevo upravnega odbora ali na zahtevo vsaj treh članov odbora.
2. Odbor si prizadeva, da bi odločitve sprejemal s soglasjem. V kolikor soglasje ni doseženo, se o odločitvah glasuje in odloča z večino glasov prisotnih članov. Za sprejemanje odločitev je potrebna prisotnost vsaj petih članov. Tajnik TIR nima pravice glasovati.
3. Odbor izvoli predsedujočega in sprejme morebitna dodatna poslovniška pravila.
4. Odbor poroča o svojih dejavnostih, vključno s tem, da predloži revidirane račune, upravnemu odboru, vsaj enkrat letno ali na zahtevo upravnega odbora. Predstavniki odbora v upravnem odboru je predsedujoči odbora.
5. Odbor preuči vsa obvestila in poizvedovanja, ki mu jih posredujejo upravni odbor, pogodbenice, tajnik TIR, nacionalna združenja in mednarodne organizacije, omenjene v 6. členu konvencije. Te mednarodne organizacije imajo pravico biti prisotne na sestankih izvršnega odbora TIR kot opazovalke, razen če predsedujoči odbora ne odloči drugače. V kolikor je potrebno, se lahko na povabilo predsedujočega odbora sestankov odbora kot opazovalka udeleži tudi kakšna druga organizacija.

12. člen

Tajnik TIR bo hkrati tudi član tajništva Ekonomske komisije ZN za Evropo pri Združenih narodih in bo izvajal odločitve izvršnega odbora TIR v okviru nalog odbora. Tajniku TIR bo pomagalo tajništvo TIR, katerega velikost določi upravni odbor.

13. člen

1. Dokler ne bodo zagotovljeni drugi viri financiranja, se bo delovanje izvršnega odbora TIR in tajništva TIR financiralo prek dajatev na vsak zvezek TIR, ki ga distribuira mednarodna organizacija, in sicer na način, določen v 6. členu.
2. Višina omenjene dajatve in postopek zbiranja teh dajatev določi upravni odbor po posvetovanju z mednarodno organizacijo, kot je to določeno v 6. členu. Vse predlagane spremembe te dajatve mora potrditi upravni odbor.“

Nova Priloga 9

Doda se naslednja nova Priloga 9 h konvenciji:

“Priloga 9

DOSTOP DO POSTOPKA TIR

I. del

POOBLASTILO ZDRUŽENJEM ZA IZDAJANJE ZVEZKOV TIR

Minimalni pogoji in zahteve

1. Minimalni pogoji in zahteve, ki jih morajo izpolnjevati združenja, da bi jih pogodbenice lahko pooblastile za izdajanje zvezkov TIR in za nastopanje v vlogi poroka skladno s 6. členom konvencije, so:

(a) dokaz, da je ustanovljeno združenje že vsaj eno leto predstavljalo koristi prevoznikstva;

(b) dokazilo o trdnem finančnem stanju in organizacijskih zmožnostih, ki združenjem omogočajo izvajati obveznosti, ki izhajajo iz določb te konvencije;

(c) preverjeno znanje kadrov glede pravilnega izvajanja konvencije;

(d) odsotnost resnejših ali ponovljenih prekrškov proti carinski ali davčni zakonodaji;

(e) obstoj pisnega sporazuma ali kakršnegakoli drugega pravnega sredstva med združenjem in pristojnimi organi pogodbenice, kjer je združenje ustanovljeno. Overjen izvod pisnega sporazuma ali kateregakoli drugega pravnega sredstva skupaj z overjenim prevodom v angleščino, francoščino ali ruščino, če bo to potrebno, bo hranjen pri izvršnem odboru TIR. Vse spremembe pisnega sporazuma ali kateregakoli drugega pravnega sredstva je treba takoj sporočiti izvršnemu odboru TIR;

(f) obveznost v pisnem sporazumu ali kateremkoli drugem pravnem sredstvu iz točke (e), da bo združenje:

(i) spoštovalo obveznosti, določene v 8. členu konvencije;

(ii) sprejelo maksimalni znesek po zvezku TIR, ki ga določi pogodbenica in se od združenja lahko zahteva na podlagi tretjega odstavka 8. člena konvencije;

(iii) trajno in zlasti pred vložitvijo zahtevka za dovoljenje za dostop oseb do postopka TIR preverilo, če te osebe izpolnjujejo minimalne pogoje in zahteve, določene v II. delu te priloge;

(iv) zagotovilo svoje garancije za vse obveznosti, nastale v državi, v kateri je ustanovljeno, v zvezi s prevozi na podlagi zvezkov TIR, ki jih je izdalo samo in tuja združenja, ki so včlanjena v isto mednarodno organizacijo;

(v) v zadovoljstvo pristojnih organov pogodbenic, v katerih je ustanovljeno, zavarovalo svoje obveznosti pri zavarovalnici, združenju zavarovalnih družb ali pri finančnem zavodu. Zavarovalne pogodbe ali pogodbe o finančnem jamstvu morajo kriti vse njene obveznosti v zvezi s prevozi na podlagi zvezkov TIR, ki jih je izdala sama in tuja združenja, ki so včlanjena v isto mednarodno organizacijo;

Odpovedni rok za prekinitve veljavnosti zavarovalnih pogodb ali pogodb o finančnem jamstvu ne sme biti krajši od odpovednega roka veljavnosti pisnega sporazuma ali kateregakoli drugega pravnega sredstva, omenjenega v odstavku (e). Overjen izvod zavarovalne pogodbe ali pogodbe o finančnem jamstvu in vse nadaljnje spremembe zavarovalne pogodbe ali pogodbe o finančnem jamstvu se hranijo pri izvršnem odboru TIR, vključno z overjenim prevodom, če bo ta potreben, v angleščino, francoščino ali ruščino;

(vi) dovolilo pristojnim organom preverjati vse podatke in račune, ki jih hrani v zvezi z vodenjem postopka TIR;

(vii) sprejelo postopek za učinkovito poravnavo sporov, ki bi nastali zaradi nepravilne ali goljufive uporabe zvezkov TIR;

(viii) strinjalo s tem, da bo vsakršno resno ali ponovljeno nespoštovanje sedanjih minimalnih pogojev in zahtev vodilo v preklic pooblastila za izdajo zvezkov TIR;

(ix) bo dosledno spoštovalo odločitve pristojnih organov pogodbenic, v katerih je ustanovljena, v zvezi z izključitvijo oseb skladno z 38. členom te konvencije in II. delom te priloge;

(x) strinjalo s tem, da bo dosledno izvajalo vse odločitve, ki jih sprejme ta upravni odbor in izvršni odbor TIR, v kolikor so jih poprej sprejeli pristojni organi pogodbenic, v kateri je združenje ustanovljeno.

2. Pogodbenice, v katerih je združenje ustanovljeno, bodo preklicale pooblastilo za izdajo zvezkov TIR v primeru resnih ali ponovljenih prekrškov v zvezi z nespoštovanjem teh minimalnih pogojev in zahtev.
3. Pooblastilo, ki se izda združenju na podlagi pogojev, določenih zgoraj, ne vpliva na odgovornost in obveznosti, ki jih ima združenje po določbah te konvencije.
4. Minimalni pogoji in zahteve, ki so določeni zgoraj, ne vplivajo na dodatne pogoje in zahteve, ki bi jih želele predpisati pogodbenice.

II. del

DOVOLJENJE FIZIČNIM IN PRAVNIM OSEBAM ZA UPORABO ZVEZKOV TIR

Minimalni pogoji in zahteve

1. Minimalni pogoji in zahteve, ki jih morajo izpolnjevati osebe, ki želijo imeti dostop do postopka TIR so:

(a) dokazane izkušnje ali vsaj zmožnost za sodelovanje v rednem mednarodnem prevozu (imetnik licence za izvajanje mednarodnih prevozov, itd.);

(b) trdno finančno stanje;

(c) dokazano znanje glede izvajanja Konvencije TIR;

(d) odsotnost resnih ali ponovljenih kršitev carinske ali davčne zakonodaje;

(e) obveza dana združenju v pisni izjavi, da:

(i) bo oseba spoštovala vse carinske formalnosti, ki se zahtevajo na podlagi konvencije v odhodnih carinskih organih, prehodnih carinskih organih in namembnih carinskih organih;

(ii) bo oseba plačala zapadle zneske, omenjene v prvem in drugem odstavku 8. člena konvencije, če bodo to od nje zahtevali pristojni organi na podlagi sedmega odstavka 8. člena te konvencije;

(iii) bo oseba, v kolikor to nacionalne zakonodaje dovoljujejo, dovolila združenju preveriti podatke o zgoraj omenjenih minimalnih pogojih in zahtevah.

2. Pristojni organi pogodbenic in združenja sama lahko uvedejo dodatne in bolj zahtevne pogoje in zahteve glede dostopa do postopka TIR, razen če pristojni organi ne odločijo drugače.

Postopek

3. Pogodbenice bodo skladno z nacionalno zakonodajo določile postopke za dostop do postopka TIR na podlagi minimalnih pogojev in zahtev, določenih v prvem in drugem odstavku.

4. Pristojni organi bodo v roku enega tedna od dne izdaje dovoljenja ali preklica dovoljenja za uporabo zvezkov TIR poslale podatke o vsaki osebi izvršnemu odboru TIR skladno s priloženim vzorcem dovoljenja.

5. Združenje bo letno pošiljalo popoln seznam vseh oseb, ki jim je bilo dovoljenje izdano na dan 31. december, pa tudi seznam vseh oseb, katerim je bilo dovoljenje odvzeto. Ta seznam se pošlje pristojnim organom v roku enega tedna po 31. decembru. Pristojni organi bodo dvojniki tega seznama poslali izvršnemu odboru TIR.

6. Dovoljenje za dostop do postopka TIR samo po sebi ne predstavlja pravice, da se pri združenju pridobijo zvezki TIR.

7. Dovoljenje osebe, da uporabi zvezke TIR skladno z minimalnimi pogoji in zahtevami, ki so opredeljeni zgoraj, ne vpliva na odgovornost in obveznosti, ki jih ima ta oseba na podlagi konvencije.

[Vzorec obrazca dovoljenja](#)

Za izvajanje sprememb konvencije skrbi Ministrstvo za finance.

4. člen

Ta uredba začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 285-03/00-1

Ljubljana, dne 29. novembra 2000

Vlada Republike Slovenije

Predsednik dr. Andrej Bajuk l. r.